

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

FILED

NOV - 6 2007

CLERK, U.S. DISTRICT COURT

By _____
Deputy

ANDREW DAVIDSON, JR.,

Petitioner,

v.

NATHANIEL QUARTERMAN, Director,
Texas Department of Criminal Justice,
Correctional Institutions Division,

Respondent.

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2:07-CV-0221

ORDER OVERRULING OBJECTIONS,
ADOPTING REPORT AND RECOMMENDATION,
and DISMISSING PETITION FOR A WRIT OF HABEAS CORPUS


Petitioner has filed with this Court a petition for a writ of habeas corpus challenging a prison disciplinary case. On October 25, 2007, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that petitioner's habeas application be dismissed. On November 6, 2007, petitioner filed objections to the Report and Recommendation.

The undersigned United States District Judge has made an independent examination of the record in this case. Petitioner's objections are without merit and are hereby OVERRULED. To the extent petitioner's objections request the Court to dismiss this case without prejudice, such request is without merit. The case is dismissed for the reasons set forth in the Report and Recommendation that petitioner has not presented a cause of action for federal habeas review. Such dismissal, however, does not prejudice petitioner from presenting any civil rights claim he wishes to present pursuant to 42 U.S.C. §1983. The Magistrate Judge's Report and

Recommendation is hereby ADOPTED. Accordingly, the petition for a writ of habeas corpus filed by petitioner is DISMISSED.

IT IS SO ORDERED.

ENTERED this 6th day of October 2007.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE